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SUBJECT: NIGERIA: AONDOAKAA CONTINUES TO REPLACE EFFECTIVE
LEADERS WITH "HIS BOYS"

REF: ABUJA 0326

Classified By: Political Counselor Walter N.S. Pflaumer for reasons 1.4
(b) and (d)

¶1. (C) Summary: Kehinde Ajoni, Executive Secretary of the National Human Rights Commission (NHRC), was "recalled to the Ministry of Justice" by Attorney General (AG) and Minister of Justice Michael Aondoakaa on March 18 and replaced by Roland Ewubare, an associate of Aondoakaa's. (FYI: According to the National Human Rights Act of 1995, which established the Commission, the Executive Secretary is appointed and/or dismissed by the President based on recommendations from the Minister of Justice. End FYI.) The move came as a surprise to the staff of the NHRC given that Ajoni's tenure was not due to expire until 2011. No official explanation was given for her removal, leading Amnesty International to issue a statement suggesting that the dismissal was arbitrary and did not follow due process. (FYI: Ajoni was seconded to the NHRC from the Ministry of Justice, so Aondoakaa had the authority to "recall" her back to the Ministry at any time. End FYI.) Ajoni's removal comes just one month after Aondoakaa removed another high-level, and well-respected, woman involved in human rights-related work. On February 19, Carol Ndaguba was "officially retired" from her position of Executive Secretary of the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) by Aondoakaa, who replaced her with his close confidante, Simon Egede (ref A). On March 25, Muhammad Babandede (strictly protect), Director of Investigations at NAPTIP, told Poloff that he is not surprised by Aondoakaa's actions, suggesting that the AG would continue to hand out key positions to "his boys" as payback for support and favors. Babandede also confirmed suspicions that due process, which requires three qualified candidates be submitted to President Yar'Adua through Secretary to the Government of the Federation (SGF), was not followed in the appointment of the new NAPTIP Executive Secretary and said he would not be surprised if the same was true for the NHRC. End Summary.

¶2. (C) On March 18, Kehinde Ajoni, Executive Secretary of the National Human Rights Commission (NHRC), was dismissed via a letter from AG Michael Aondoakaa and replaced by Roland Ewubare, a private sector corporate lawyer and associate of Aondoakaa's who, according to the CV issued by the NHRC, has practiced in the U.S. Until his appointment to the NHRC,

Ewubare was most recently serving as a Commissioner for the Nigerian Law Reform Commission, where he was also appointed by Aondoakaa. (Note: The Nigerian Law Reform Commission was established in 1979 with the mandate of developing and reforming substantive and procedural law in Nigeria. The members of the Commission hold the same rank as justices of the court of appeal. End Note.)

13. (C) No official explanation was given for Ajoni's removal, which prompted Amnesty International to release a statement on March 20 expressing concern over the dismissal and suggesting due process had not been followed. (FYI: As Ajoni is an employee of the Ministry of Justice who was only seconded to the NHRC, Aondoakaa has the authority to "recall" her back to the Ministry at any time; but the fact that no explanation was given and that a colleague of Aondoakaa's with no experience on human rights issues was appointed in her place created suspicion over possible ulterior motives. End FYI.) Ajoni's dismissal also came as a shock to NHRC staff because she had been appointed to a five year term which was not scheduled to expire until 2011. On March 25, Oti Ovrawah, Director of Research and Planning at the NHRC, told Poloff that the entire staff was surprised and disappointed by Ajoni's removal. Ovrawah lamented that the Minister of Justice has the authority to "recall" those on seconded assignments from the Ministry whenever he chooses. Ovrawah said that since the new Executive Secretary was not from the Ministry, but rather the private sector, he could not be recalled; however the President still retained the power to remove him. According to Ovrawah, Ewubare officially assumed office on March 24, when he arrived at the

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NHRC offices and conducted meetings with all department heads. Ovrawah added that Ewubare was in his early forties, and seemed very focused, which she suggested might make up for his lack of knowledge about human rights issues and the Commission's operations.

14. (C) On March 25, at the conclusion of a previously scheduled meeting with Poloff, Muhammad Babandede (strictly protect), Director of Investigations at the NAPTIP, said he was not surprised by Aondoakaa's removal as NHRC head, which he suggested paralleled the dismissal of NAPTIP's former leader (ref A). Babandede suggested that the Attorney General would continue to install "his boys" into important positions wherever possible. Babandede accused Aondoakaa of treating the NHRC and NAPTIP as part of his personal "estate and bank account" due to his increased access and control. As an example, Babandede cited the Minister's recent insistence that NAPTIP fund his travels for official events, something which had never occurred before. Babandede also insisted that Aondoakaa did not follow due process in appointing the new NAPTIP Executive Secretary, Simon Egede, and suggested a similar situation likely occurred with the appointment of the new NHRC Executive Secretary. According to Babandede, Aondoakaa was required to submit a shortlist of three qualified candidates to President Yar'Adua through Secretary to the Government of the Federation (SGF) Yayale Ahmed for selection of the new NAPTIP secretary; but Babandede claimed that Aondoakaa bypassed the SGF and went straight to Yar'Adua with Egede's name and asked for approval, which was granted. When Poloff asked if Babandede planned to remain at NAPTIP considering the new leadership, he replied that he would stay as long as the agency remained effective. He said that if NAPTIP starts "going the way of the EFCC" he would leave. (Note: Poloff has heard on several occasions, even prior to the recent leadership change, that many international organizations, including UNODC, have offered Babandede assignments due to his favorable reputation.) In the meantime, Babandede said that he will continue his work at NAPTIP as long as he is "allowed."

15. (C) Comment: It is not only discouraging that Aondoakaa has now removed two of the GON's relatively few women in high-level positions who were recognized and respected for

their human rights work, but even more worrisome that Aondoakaa is continuing to put "his boys" into power, strengthening his network of power within the law enforcement sphere, and further increasing his access to lucrative budgets. The fact that Yar'Adua apparently continues to allow Aondoakaa such a free reign should also be cause for concern. The reputation of both the NHRC and NAPTIP (both of which are widely held as committed, productive organizations) are at stake. We will continue to watch for tell-tale signs of increased corruption and decreased efficiency. Babandede is highly regarded amongst the diplomatic and civil society communities, many of whom have said that they will not give up on NAPTIP as long as he remains part of the senior leadership of the organization. We share the view that whether Babandede stays or leaves NAPTIP, and his reasons for doing either, will serve as a barometers for whether NAPTIP can continue to be considered an effective partner on TIP issues. End Comment.

16. (U) This cable was coordinated with Consulate Lagos.
SANDERS